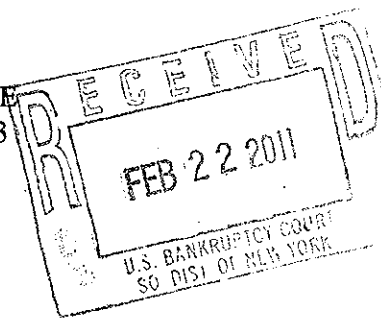




November 23, 2009

VINCENT C GERMANO JR.
274 CRYSTAL CREEK DRIVE
ROCHESTER, NY 14612-6003



GM Benefits & Services Center

gmbenefits.com

1-800-489-4646

International Access

Dial AT&T Direct® Access Code, then

877-833-9900

TDD Service for the Hearing Impaired

1-877-347-5225

RE: General Motors Hourly-Rate Pension Plan, "the Plan"
Pension Appeal, W007256-16NOV09

Dear Vincent C Germano Jr.:

This letter is in response to your recent inquiry to the GM Benefits & Services Center regarding your employee claim.

~~General Motors could not and cannot predict future enhanced retirement offerings~~ At the time, the Delco Double Plus retirement was the only buyout ever offered at Delco. Any representation made regarding future offerings or lack thereof, would have been based solely on company intention at the time. Intentions may change as circumstances warrant. This does not classify as a misrepresentation.

Attached, please find your executed Retirement with A Double Plus Application, executed on 5/12/1983. According to section (c) you agreed to the following statement: "I understand that I may withdraw this application, by written notice, any time prior to June 3, 1983. However, this application is irrevocable after June 3, 1983."

We trust that this will assist you in understanding that you are not eligible to cancel or postpone your pension benefit commencement date of 2/1/1984.

If you have any additional questions, please call the GM Benefits & Services Center toll-free at 1-800-489-4646, Monday through Friday, between 7:30 A.M. and 6:00 P.M., Eastern Time zone, to speak with a Customer Service Associate. From outside the U.S., dial your country's toll-free AT&T Direct® access number then enter 877-833-9900. In the U.S., call 1-800-331-1140 to obtain AT&T Direct access numbers. From anywhere in the world, access numbers are available online at www.att.com/traveler or from your local operator.

Sincerely,

GM Benefits & Services Center

February 17, 2011

General Motors admits that they "could not and can not predict the future enhanced retirement offerings" yet General Motors knowingly mislead us when they predicted that "the buy-out of 1983 was to be the one and only buy-out ever to be offered at Delco Products?" This false statement would insure the success of the program but it would also change my life and the life of my family for the next 28 years plus what few years that we may have left.

General Motors hid the fact that this was a pilot program. Had it been known I know I for one would have not taken the buy-out and it would have given second thoughts to others who took the buy-out. This could have jeopardized the pilot program that General Motors wanted so badly to succeed.

Vincent C. Germano Jr.

1 of 7

274 Crystal Creek Drive
Rochester, N.Y. 14612
February 17, 2011

To Whom It May Concern:

If there is a fee attached to this process then please be kind enough to discard the contents of this letter in a safe manner. It will be greatly appreciated. My chances are next to nil to compete against big business as unfair as they may choose to be.

Thank you,

Vincent C. Germano Jr.

RETIREMENT WITH A DOUBLE PLUS
APPLICATION

I hereby apply for the Delco Products-Rochester Operations' Retirement with a Double Plus Program. I fully understand and agree to the following terms and conditions:

- a) My seniority will be broken effective on my retirement date in accordance with Paragraph 34(f) of the GM-IUE National Agreement.
- b) My preference for my retirement date is indicated below (1st, 2nd, 3rd and 4th choice):

July 1, 1983 _____
September 1, 1983 _____
November 1, 1983 _____
December 1, 1983 _____

I understand that my first preference will be honored as closely as possible. However, Management reserves the right to assign retirement dates in order to protect the efficiency of operations.

- c) I understand that I may withdraw this application, by written notice, any time prior to June 3, 1983. However, this application is irrevocable after June 3, 1983.
- d) I understand that I will also be required to complete and sign an Application/Acknowledgement form HRP-9-IUE, for the General Motors Hourly-Rate Employees Pension Plan.
- e) I understand that if I am discharged or my seniority is broken for any other reason prior to my retirement date, this application will become null and void and I will be ineligible to participate in the Retirement with a Double Plus Program. In that event, I retain only those rights to which I am otherwise entitled under the GM-IUE Pension Plan.
- f) The Retirement with a Double Plus Program is subject to final approval by Delco Products. This offer may be cancelled by Delco as a result of insufficient participation. My application may also be denied based upon severe impact on the operation of the plant. In either event, the special provisions of Retirement with a Double Plus, will not be available to me. However, in any event, I retain all other rights to which I am otherwise eligible under the GM-IUE Pension Plan.

- g) I hereby apply for the following type of retirement (check one):

X Mutual (if eligible)
Employee Option

- h) I hereby apply for the following type of Bonus payment (check one):

X Lump Sum
Payment of 24 equal monthly installments

The payment of the lump sum or the first monthly payment will be issued shortly after my retirement date.

- i) I understand that this application and my selection of retirement plans is subject to final approval by Management based upon my eligibility to participate in the program and to select the type of retirement indicated above. Upon final approval of my application, I will receive the completed acknowledgement of form HRP-9-IUE.

5-12-83
Date of Application

Vincent C. Gleason Jr.
Signature (Sign in the presence of
Notary Public)

State of New York
County of Madison
Sworn before me on this 12th day
of May, 19 83

4731
Social Security #

2388

Feb. 17, 11
How clear can it be
that this buy-out was
a pilot program and
if successful would
be followed with
future buy-outs.
v.c.g. V.C.M.

379

02201025

APS0630742792



UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

PROOF OF CLAIM

Name of Debtor (Check Only One):
☒ Motors Liquidation Company (f/k/a General Motors Corporation)
☐ MLCS, LLC (f/k/a Saturn, LLC)
☐ MLCS Distribution Corporation (f/k/a Saturn Distribution Corporation)
☐ MLC of Harlem, Inc. (f/k/a Chevrolet-Saturn of Harlem, Inc.)

Case No.
 09-50026 (REG)
 09-50027 (REG)
 09-50028 (REG)
 09-13558 (REG)

Your Claim is Scheduled As Follows:

10/13/2009

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case, but may be used for purposes of asserting a claim under 11 U.S.C. § 503(b)(9) (see item # 5). All other requests for payment of an administrative expense should be filed pursuant to 11 U.S.C. § 503.

Name of Creditor (the person or other entity to whom the debtor owes money or property): VINCENT GERMANO JR

Name and address where notices should be sent:

VINCENT GERMANO JR
 274 CRYSTAL CREEK DR
 ROCHESTER, NY 14612-6003

(585) 723-3772

VGERMANO1@ROCHESTER.RR.COM

Telephone number:
 Email Address:

☐ Check this box to indicate that this claim amends a previously filed claim.

Court Claim Number: _____
 (If known)

Filed on: _____

Name and address where payment should be sent (if different from above):

☐ Check this box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.

☐ Check this box if you are the debtor or trustee in this case.

Telephone number:

1. Amount of Claim as of Date Case Filed, June 1, 2009: \$ _____

If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. If all or part of your claim is asserted pursuant to 11 U.S.C. § 503(b)(9), complete item 5.

☐ Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: FALSELY MISLED INTO TAKING EARLY RETIREMENT

3. Last four digits of any number by which creditor identifies debtor: _____

3a. Debtor may have scheduled account as: _____
 (See instruction #3a on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)

Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.

Nature of property or right of setoff: ☐ Real Estate ☐ Motor Vehicle ☐ Equipment ☒ Other

Describe:
 Value of Property: \$ _____ Annual Interest Rate: _____ %

Amount of arrearage and other charges as of time case filed included in secured claim, if any: \$ _____

Basis for perfection: _____

Amount of Secured Claim: \$ _____ Amount Unsecured: \$ PENSION BENEFITS AS ATTACHED

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.

7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See instruction 7 and definition of "redacted" on reverse side.)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain in an attachment.

If an amount is identified above, you have a claim scheduled by one of the Debtors as shown. (scheduled amount of your claim may be amendment to a previously scheduled amount.) If agree with the amount and priority of your claim scheduled by the Debtor and you have no other claim against the Debtor, you do not need to file this proof of claim form. **EXCEPT AS FOLLOWS:** If the amount shown is listed as DISPUTED, UNLIQUIDATED, CONTINGENT, a proof of claim MUST be filed in order to receive any distribution in respect of your claim. If you have already filed a proof of claim in accordance with the attached instructions, you need not file again.

5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.

Specify the priority of the claim.

☐ Domestic support obligations under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(E)

☐ Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(4).

☐ Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(5).

☐ Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(7).

☐ Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8).

☐ Value of goods received by the Debtor within 20 days before the date of commencement of the case - 11 U.S.C. § 503(b)(9) (11 U.S.C. § 507(a)(2)).

☐ Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____).

Amount entitled to priority:

\$ _____
 *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.

Date:

Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.

FOR COURT USE ONLY

4/1/7



Employee Claim to Pension Committee BA-1/BA-2
Pg 5 of 7

Pursuant to Agreement between
General Motors Corporation and the Union

Please complete this form, make a copy for your files and return the original in the enclosed postage-paid return envelope or mail to:

GM Benefits & Services Center
PO Box 770003
Cincinnati, OH 45277-0070

If you have any questions, please call the GM Benefits & Services Center toll-free at 1-800-489-4646, Monday through Friday, between 7:30 A.M. and 6:00 P.M., Eastern Time zone, to speak with a Customer Service Associate. From outside the U.S., dial your country's toll-free AT&T Direct® access number then enter 877-833-9900. In the U.S., call 1-800-331-1140 to obtain AT&T Direct access numbers. From anywhere in the world, access numbers are available online at www.att.com/traveler or from your local operator.

1. About You (please print)

GERMANO VINCENT C. 4731
 Last Name First Name Middle Initial Social Security number
 274 CRYSTAL CREEK DR. ROCHESTER, NY 14612
 Street Address City State Zip Code
 (585) 723-3772 07/03/1927
 Home Telephone Number Daytime Telephone Number Date of Birth
 DELCO PRODUCTS DIV. LYELL AVE. ROCH., N.Y.
 Division Plant

2. Nature of Claim

General Motors (Delco Prod. Div.) knowingly misled its employees into taking early retirement by emphasizing (in a manner just short of putting their right hand on the Bible) that the buy-out of 1983 was to be the one and only buy-out ever to be offered at Delco. As truth would have it, as we found out later, this was a pilot program. An experiment with fore thought if proved successful would be used widespread throughout all of General Motors and on an annual basis. Had I not been misled I would not have retired in 1983 at the age of fifty-five. I would have worked at least seven more years on a job I loved one in which much to my satisfaction I had been recognized several times by G.M. for my achievements.

To justify General Motor's unjust actions I am making an appeal that my pension should be updated so as to receive all of the buy-out benefits as outlined in the October 31st 1989 year-end retirement package. This is the earliest date I would have retired at the healthy age of sixty-two in conjunctions with becoming eligible for social security. I have been falsely misled and it is time to make this wrong a right.

Vincent C. Germano
 Signature

Friday - October 13, 2009
 Date



You must sign and date this form.



4 C C 0 0 3 0 P 8

5 of 7 sheets

AUTHORIZATION OF MONTHLY BENEFITS

HRP 11

GENERAL MOTORS HOURLY-RATE EMPLOYEES PENSION PLAN
PURSUANT TO THE AGREEMENT BETWEEN GENERAL MOTORS AND THE IUE

VINCENT C GERMANO JR
146 CLARK AVE
ROCHESTER

NY 14609

RETIREMENT NO: R-4731
DIVISION: DELCO PRODUCTS - ROCH
CISCO: 34032

RETIREMENT TYPE:
MUTUAL SATISFACTORY-AGE 55 TO 65

CREDITED SERVICE
PART A: 36-9 A

RETIREMENT DATE: 02-01-1984

BENEFIT CLASS CODE: D
BASIC BENEFIT RATE: 18.95
TEMPORARY BENEFIT RATE: 15.00

AGE FACTORS OPTION SURVIVOR CODE
BASIC NONE 95.00 60.00 SS

SOCIAL SECURITY NO: 110-16-4731
BIRTH DATE: 07-03-1927

THE FOLLOWING MONTHLY BENEFITS HAVE BEEN AUTHORIZED. ADDITIONAL INFORMATION
REGARDING YOUR PENSION BENEFITS ARE EXPLAINED ON THE ATTACHED FORM HRP 110

**** AUTHORIZED BENEFITS ****

	DATE	AMOUNT	AMOUNT AT AGE 62	AMOUNT AT AGE 65
BASIC	02-01-1984	664.30	664.30	664.30
TEMPORARY	02-01-1984	450.00		
SPECIAL	08-01-1992			
TOTAL		1,114.30	664.30	13.00
				677.30

**** SURVIVOR INFORMATION ****

JOSEPHINE N GERMANO

SOCIAL SECURITY NO: 096-22-5823

BIRTH DATE: 03-23-1930

**** SURVIVOR BENEFITS AT RETIREE COMMENCEMENT DATE ****

AMOUNT
BASIC 398.58
TOTAL 398.58

I UNDERSTAND THIS BENEFIT AUTHORIZATION REFLECTS MY ELECTION OF THE
SURVIVING SPOUSE OPTION.

I AM THE EMPLOYEE HEREIN NAMED AND IDENTIFIED. I HAVE READ AND UNDERSTAND
THE DATA AND CALCULATIONS SHOWN.

Vincent C Germano Jr.
EMPLOYEE SIGNATURE

1-12-84
DATE

WE HAVE EXAMINED THE ABOVE DATA AND HEREBY AUTHORIZE PAYMENT OF THE
ABOVE BENEFITS

[Signature]
LOCAL PENSION COMMITTEE
MANAGEMENT REPRESENTATIVE

[Signature]
LOCAL PENSION COMMITTEE
UNION REPRESENTATIVE

1/12/84
DATE

1/12/84
DATE

ISSUE DATE AND TIME: 01-12-1984 08:57:23

DISTRIBUTION: ORIGINAL-MASTER PENSION FILE COPY 1-EMPLOYEE
COPY 2-UNION MEMBER OF THE LOCAL PENSION COMMITTEE
COPY 3-EMPLOYEE BENEFITS PLANS ADMINISTRATION SECTION

6 of 7

274 Crystal Creek Drive
Rochester, N. Y. 14612
February 17, 2011

General Motors (Delco Prod. Div.) knowingly misled its employees into taking early retirement by emphasizing (in a manner just short of putting their right hand on the Bible) that the buy-out of 1983 was to be the one and only buy-out ever to be offered at Delco. General Motors maintained this falsehood not only past June 3, 1983 but also throughout all of 1983. As the truth would have it, was found to late that this was a pilot program. An experiment with fore thought that it must prove successful so that it could be used widespread throughout all of General Motors on an annual basis. Had I not been misled I would not have retired in 1983 at the age of fifty-five. I would have worked at least seven more years on a job I loved (skill trades) one in which much to my satisfaction I had been recognized individually several times by G.M. for my achievements.

To justify General Motor's unjust actions I am making an appeal that my pension should be updated so as to receive all of the buy-out benefits as outlined in the October 31st 1989 year-end retirement package. This is the earliest date I would have retired at the healthy age of sixty-two in conjunctions with becoming eligible for social security. I have been falsely misled and it is time to make this wrong a right. This falsehood by GM has cost my wife and myself well over \$200,000 over the years.

I do believe that the contract that I signed in 1983 was a one on one contract with Delco Products Div. backed up by General Motors. It was equivalent to Delco writing a long-term contract with a local supplier to furnish parts over a long period of time. This buy-out was not an equal opportunity program that was offered to all hourly employees throughout all of General Motors. It may have been offered only to Delco Products along possibly with maybe with one other plant. It states in the contract that I signed that **in any event** I retain all other rights to which I am otherwise eligible under the GM-IUE Pension Plan. *I feel there is just cause that this contract should be Grandfathered.*

Vincent C. Germano Jr.

